

**IN THE UNITED STATE DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

ANDREA MARTINEZ,)
)
Plaintiff,)
)
v.) Case No. 19-cv-06135-FJG
)
UNITED STATES OF AMERICA,)
)
Defendant.)

JOINT MOTION FOR ENTRY OF AMENDED SCHEDULING AND TRIAL ORDER

Pursuant to the Court's August 31, 2022 Order (Doc. No. 101), Plaintiff Andrea Martinez and Defendant United States of America jointly move the Court for the entry of an Amended Scheduling and Trial Order that provides that the parties should be directed to complete the following pre-trial tasks by the dates set forth below:

- a. Parties' joint status report: December 16, 2022;
- b. Plaintiff's supplemental expert reports: October 27, 2022;
- c. Close of fact discovery: December 30, 2022;
- d. Defendant's expert reports: January 17, 2023;
- e. Rebuttal expert reports, February 17, 2023;
- f. Expert challenges/Daubert motions: March 3, 2023;
- g. Close of discovery: March 10, 2023;
- h. Dispositive motions: March 31, 2023;
- i. Oppositions to dispositive motions: April 28, 2023; and
- j. Replies in support of dispositive motions: May 12, 2023.

The parties further respectfully suggest that the matter—which now raises claims only under the Federal Tort Claims Act—may be set for a bench trial by subsequent order, or, alternatively, to occur at any time after September 5, 2023.

WHEREFORE, the parties jointly pray the Order of the Court.

Date: September 14, 2022

Respectfully submitted,

/s/ Gillian R. Wilcox

Gillian R. Wilcox, #61278MO
ACLU of Missouri Foundation
406 West 34th Street, Suite 420
Kansas City, MO 64111
Phone: (816) 470-9933
Fax: (314) 652-3112
gwilcox@aclu-mo.org

Anthony E. Rothert, #44827MO
Jessie Steffan, #64861MO
Kayla DeLoach, #72424MO
Molly E. Carney, #70570MO
ACLU of Missouri Foundation
906 Olive Street, Suite 1130
St. Louis, MO 63101
Phone: (314) 652-3114

/s/ J. Emmett Logan

J. Emmett Logan, #30019MO
Stinson LLP
1201 Walnut Street, Suite 2900
Kansas City, MO 64106
Phone: (816) 691-2745
Fax: (816) 412-1250
elogan@stinson.com

Attorneys for Plaintiff

Teresa A. Moore
United States Attorney

/s/ Alan T. Simpson
Alan T. Simpson, MO #65183
Assistant United States Attorney
Western District of Missouri
400 East Ninth Street, Suite 5510
Kansas City, Missouri 64106
Telephone: (816) 426-3130
Facsimile: (816) 426-3165
Email: alan.simpson@usdoj.gov

*Attorney for Defendant
United States of America*

Certificate of Service

I certify that a copy of the foregoing was filing electronically on September 14, 2022, and delivered by operation of the Court's CM/ECF system to all counsel of record.

/s/ J. Emmett Logan